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ABSTRACT

Deserting fathers are often the victims of a society which is frustrated, ignorant and failing in its provision of sound family policy. A study of the impact of the criminal justice system on deserting nonsupporting fathers in relation to the fulfillment of their roles as providers indicates that these individuals need assistance in coping with their dilemma. Possible strategies for coping with this problem include: (1) organization of neighborhood family crisis centers; (2) provision of job opportunities for each family head and supplementary salaries during the working years; (3) reorganization of health services; and (4) improvement of public welfare services. (Author/HLM)

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THE DESERTING NONSUPPORTING FATHER: THE SCAPEGOAT OF FAMILY NONPOLICY

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THE DESERTING NONSUPPORTING FATHER: THE SCAPEGOAT OF FAMILY NONPOLICY

Deserting fathers are often pushed out of their homes by an angry society seeking a scapegoat for its frustrations, ignorance, and failure to agree on a sound family policy for our country.

Nonsupporting fathers are often picked up on their jobs (the only address some of them have), and for the following twenty years or more they may be chained to a cruel and sadistic criminal "justice" system. When they re-enter society off and on, they are less prepared for a steady job, the opportunity for retraining, the possibility of rebuilding family opportunities, and the incentive to build self-esteem.

My study of the impact of the criminal justice system of Baltimore City on the deserting nonsupporting father in relation to the fulfillment of his role as provider provides data for rethinking our approach in aiding the nonsupporting father to cope with his dilemma as well as our own.[1]

Comments in this paper are limited to the following four questions: 1) What are the issues? 2) What have we done about them? 3) What are the results? 4) What steps can we take to deal with the problem of desertion and nonsupport?

1. The Issues

Sympathies of most people rest with the deserted wife and mother who is left with small children to rear. I remember the plea of a three-year-old boy crying, "I want my Daddy," As a social worker I have talked with many deserted women who have felt shame, failure, anger, pain, and sometimes relief that the man had gone.

The number of one-parent families is increasing. When I made my study of deserting nonsupporting fathers in 1970 there were five million

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one-parent families reported in the U. S. Census.[2] In 1977 this number had increased to nine million.[3] I believe this trend can and should be reversed.

Little effort has been made to see the family split from the man's point of view. What are his hopes and aspirations for the future? If society would listen to him, perhaps it would find some clues which would lead to a family policy which could cement family ties and build a stable economy.

Of course, there are some successful businessmen, doctors, lawyers and others who walk out of their families without a backward glance or any intention to provide support. At the other extreme, there are some overly conscientous men whose support payments are so unreasonable that they lose their businesses or their jobs under the strain. However, a substantial number of men who leave home are untrained, unemployed, underemployed, or periodically employed. They are marginal workers. Most of them are pushed out of their homes if they reside in one of 22 states that does not permit an unemployed father to stay home when the money runs out.[4] He has to leave home to make his family eligible for public assistance. An unemployed father is faced with a devastating decision: should he stay home and try to fulfill his role as father when there is no food on the table? or should he leave home so that his wife can apply for public assistance? Unable to cope with this dilemma many men turn to booze, drugs, or burglary. Others develop ulcers, heart trouble, mental breakdowns, or through negligence sustain an injury on the job. These men are frequently blamed for the family split. Shouldn't the blame go to the members of the state legislatures who fail to listen to the plight of these men?

From the viewpoint of the inmates in the Maryland House of Correction there is no worse crime in our country than desertion and nonsupport.

Murderers and bank robbers have a higher status than the domestic relations offender. Who can fall so low as to fail to support a hungry child? The deserting nonsupporting father has become the scapegoat in our country. He is the scapegoat of a family nonpolicy. Society has to place its anger on someone for its failure. Whom else can it blame? The deserter is expendable. The anger of society vented on the deserter costs the taxpayer approximately $15,000 a year--about what it would cost to send the deserter to Harvard.

One deserter told me that in the eyes of his family he is dead.

2. What We Have Done About the Issues

Although the deserted wife and mother has had the protection of the court from older times under English common law for the support of herself and her children, to many women filing a complaint against the nonsupporting husband is not a solution. Steigman asserts that criminal action taken against the husband will usually make matters worse.[5]

Any mother in the United States who applies for financial assistance is required to file a complaint for nonsupport. Funds cannot be denied if she doesn't make a complaint for nonsupport prior to her application.[6] However, the complaint must be filed in order to receive continuing support. Rather than turn to public assistance some mothers request that their children be placed in foster homes for a few months or a year so that they can seek employment. Relatives often assist mothers in caring for their children. Sometimes the father's relatives offer assistance. In the 1962 amendments to the Social Security Act provision was made to strengthen family ties by encouraging social workers to include the mothers in the application process.

Often the deserting father cannot be found. In the majority of cases he does not appear for the first court hearing. As a last resort the sheriff can usually find him at work if he is employed. If so, he may be arrested and taken immediately to jail for safe keeping until the court hearing the next day. In Baltimore if he is found guilty of nonsupport, he is convicted of a misdemeaner and put on probation. He becomes a "domestic relations offender." He becomes a convict.

If the offender fails to make a payment to the Probation Department over a period of several months, he may be returned to court and given a prison sentence up to three years. This is the longest sentence in any of the states. The average sentence in Maryland is 18 months. The domestic relations offender may be chained to the criminal "justice" system from 18 years of age to 60 or until his youngest child reaches 18 or 21 years of age.

If the offender's family is receiving public assistance, the support payments are used to reimburse the Department of Welfare and the Probation Department. None of the money goes to the family despite the fact that the public assistance grant may be only 58% of the level of poverty.[7] It would be illegal, for example, for him to buy his children the shoes they need to return to school. Moreover, unless the father files for divorce he has no visitation rights.

Some states are beginning to recognize the need to aid the marginal worker and avoid a family split. In 28 states the father can remain home and can receive financial assistance along with his family. He is given priority in employment counseling and in vocational training. Moreover, wage earners in three states can apply for supplementary assistance if their wages fall below the level of the assistance grant. These three

states also provide a mandatory temporary sickness income when the wage earner is unable to work.[8]

The remedies currently being provided are undoubtedly improvements over the conditions which prevailed at the time of the Great Depression, but only a few states are currently confronting the issues which have been raised in this paper. Although the majority of families are intact and perhaps unaware of the continuous struggle for survival among the families at the bottom of the economic ladder--the fact is that approximately half of these low-income families will split before the children are grown.[9] All of us will bear the burden of the cost of these failures. Will we share the burden of any of the blame?

3. The Results of Our Efforts

What has resulted from the steps we have taken to deal with the problem of the deserting nonsupporting father? I would like to make the following observations:

1) The number of broken homes has increased from 1970 to 1977.
2) During the 1950s the workload of the criminal justice system in Baltimore became unmanageable. Court hearings were delayed many months. Domestic relations offenders made up almost one-fourth of all inmates in the Maryland House of Correction. The Domestic Relations Court was created and four analysts began making pre-hearing investigations, which is some instances reunited the families.
3) Expenditures for Public Assistance have increased. "Absence of father: is the reason given for financial need in 75% of the AFDC families.[10]

4) Child abuse and wife abuse have increased especially in economically deprived families.

5) An increasing number of children need substitute care when the father is not there to help.

Daniel Moynihan has pointed out that in a large number of families the father is absent not because he is dead but because society has never let him come alive.[11] Moynihan informs us that in 1964 non-whites made up 34% of all unemployed males of "other marital status." He emphasized that these are the men who first lose their jobs and then lose their families.[12]

Richard Cloward and Robert Ontell have said that we have "robbed men of their manhood, women of their husbands, and children of their fathers. To create a stable monogamous family we need to provide men with the opportunity to be men, and that involves enabling them to perform occupationally."[13]

My study of the domestic relations offender in Baltimore showed that the exposure to the criminal justice system did not increase job opportunities. The 55 men I included in the study represented one-half of the domestic relations offenders released from the Maryland House of Correction in 1970. At the time of their first arrest about one-third of the men held regular jobs (at least one year's duration). But only three of these men were successful in returning to their old jobs within three months after their release from prison.

Exposure to the criminal justice system did not increase the amount and regularity of support payments. The most frequent amount of support payment in the court orders amounted to $7.00 per week for each child.

Exposure to the criminal justice system did not improve job skills or opportunities for training. Some of the men did acquire some training and experience in productive work in these fields.

The experience with the criminal justice system did not improve family ties. Twenty of the 55 men were living with their wives when the first complaint was filed for nonsupport. Only three of the 55 men returned to their wives at the time of the follow-up interview. These 55 men were known to the criminal justice system from one year to 25 years or an average of about five years. The median income at the time of the first arrest was $65 a week, hardly enough to support the man himself. The weekly median income had increased to $86 a week for those who were working three months following release from prison.[14]

In suming up the results of the efforts of our state legislatures to deal with the problem of the deserting nonsupporting father we see a pattern of good intentions based mainly on trial and error, myths, and a tendency to justify past failures. So in our ignorance, anger, and fear we blame the most impotent members of our society--the marginal worker, made up usually of the under-educated, the under-trained, the under-employed, or part-time employed, as well as the underpaid, and of course the unemployed.

4. Steps We Can Take

What steps can we take to cope with the problem of the deserting nonsupporting father in our society? I have six suggestions:

1) We can organize family crisis centers in every neighborhood. England and France have established this approach. Following a nation-wide study [15] of social services in England several years ago an effort is underway to establish neighborhood multipurpose information centers. While teaching social work in France a few

years ago I observed that social workers were assigned to geographic areas under the mayor's office in each community to be available for any family emergency. As a measure of prevention of family crises a social worker under the Family Allowance Program visits each pregnant woman within the first trimester to ascertain the need for service.

Before beginning her political career as a member of Congress Barbara Mikulski headed the Family Crisis Center in the Department of Social Services in Baltimore when I supervised students there from the University of Maryland School of Social Work and Community Planning. The Family Crisis Center was quite successful in aiding families at the time of financial crisis. Representative Mikulski has proposed that we set up family crisis centers throughout the country, and she introduced a bill in the last Congress for this purpose. We should provide an opportunity to listen to the father's side of the family crisis. Congress opened the door in the 1962 Amendments for the state departments of welfare to include the fathers in the initial family study. Of the 55 men included in my study 44 of their families applied for public assistance. Of these only three men were seen as part of the initial study. In defense of the public welfare program I found that it was understaffed, undertrained, and at a loss to know what to do.

2) Provide Job Opportunities For Each Family Head

We have about six million people seeking work in our country. When I was teaching social work in France a few years ago, I observed the strength of the family unions (an organization of family heads first organized at the turn of the century in each neighborhood).

This underlying commitment to strong family life among French workers is based on the theory that stable families require adequate income. A low rate of unemployment was essential for stable family life and for a stable economy. France has had a shortage of manpower over the years having lost almost one-fourth of its working population during World War I as well as a substantial number of men in World War II. Losses have also occurred in its very active Foreign Legion over many years. Since World War II many of the low-paying jobs have been filled by immigrants from Italy, Spain, and Portugal. Up to 1974 France's unemployment rate was under 2%.

The French government has taken steps to protect the family by controlling mass lay-offs. Employers must seek permission from the government before they can lay off any workers. Employers are required to provide retraining for disabled workers and for persons employed in obsolete jobs. Salaries continue up to two years during the process of retraining.

3) Provide a Supplementary Salary During the Working Years

The average breadwinner earns the least amount of income during the early part of his working career--at a time when he has the greatest expense. After children leave home the family income is usually the highest. The workers in France felt this situation should be reversed. This idea resulted in the Family Allowance Program which was first instituted in Grenoble by the manager of a clock making firm at the turn of the century. The plan became very popular and was finally made mandatory in 1936.

A similar arrangement, the salary allotment and rent allotment, in our armed forces was first started in the Merchant Marines in the 1860s. Why can't we follow such a pattern for all workers? Wouldn't such a plan help to ease the strain on young families? Sixty-two countries in the world follow this plan.

4) Reorganize Our Health Service

Many families do not have access to medical care--especially in the rural areas. I come from a small community which has no doctor. When my mother fell against the radiator and cut a gash in her head, we had to drive 23 miles to the county hospital. Foreign countries are now providing medical education for about one-third of the doctors practicing in our country. Why should the United States depend on these countries to educate our doctors? Why don't we double the enrollment in our medical schools so that more doctors will be available to serve rural families where medical care is needed? Most of the men in my study suffered from inadequate medical attention.

5) Improve Our Public Welfare Services

Why doesn't Congress mandate that all states provide the category AFDC-UP? Why should the fathers in 22 states be forced to leave home so their families can apply for public assistance when he is laid off? Why don't more states provide voluntary supplementary grants to the under-employed or part-time employed to bring the family income level up to the welfare grant? Why shouldn't all states provide a temporary sickness allowance when the wage earner is unable to work?

SUMMARY

We have looked at some of the issues surrounding the national problem of the deserting nonsupporting father, some of the steps which we have taken to deal with these issues, some of the results of our actions, and some steps we can take to improve the situation. We can no longer take the expensive road of benign neglect. We can no longer blame the victims. We can no longer follow the myth of aiding the poor by exploiting the poor without suffering the consequences. The time has come to listen to the marginal worker on whom society has placed the ultimate burden of family stability so that we can break out of the prison of our ignorance. It is time that we show fathers, mothers, and their children that we care.

FOOTNOTES

1. Lillian M. Snyder, The Impact of the Criminal Justice System of Baltimore City on the Deserting Nonsupporting Father in Relation to His Role as Provider (Unpublished dissertation, Columbia University, 1975)

2. U. S. Department of Commerce, Bureau of Census, Statistical Abstract of the United States 1977, 98th ed. (September 1977) Table No. 56, "Households, Families, Subfamilies, Married Couples, and Unrelated Individuals: 1950-1976."

3. Ibid.

4. These 22 states are: Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kentucky, Lousiana, Maine, Mississippi, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and Wyoming. Some states provide token assistance to a handful of families like Nebraska (68 families) compared with California (35,868 families). See Table 5, "Aid to Families with Dependent Children--Unemployed Father Segment" in Public Assistance Statistics, June 1978 H.E.W. Publication No. (SSA) 79-11917.

5. Joseph E. Steigman, "The Deserted Family," Social Casework, Vol. 38, No. 4 (April, 1957), p. 167.

6. The Noleo Amendment to the Social Security Act was passed in 1950 which requires all public welfare agencies to notify the court when a family applies for public aid because of "absence of father," See Maurine McKeany, The Absent Father and Public Policy in the Program of Aid to Dependent Children (Berkeley: University of California Press, University of California Publications in Social Welfare, 1960), pp. 111-121.

7. The level of poverty is based on the estimate made by the U. S. Department of Agriculture of the cost of food for a thrifty budget for subsistance multiplied by three to cover the cost of other basic living expenses. No state pays a grant as high as the level of poverty although some states do allow supplementary earnings. In 1970 Maryland allowed welfare grants equal to 58% of the poverty level.

8. Marginal wage earners residing in California, New Jersey, or New York may apply for supplementary assistance if their monthly earnings are below the level of the welfare grant. These states along with Rhode Island, Hawaii, and Puerto Rico have mandatory provision for temporary sickness income, See Daniel N. Price, "Cash Benefits for Short-Term Sickness, 1948-76," Social Security Bulletin, Vol. 41, No. 10 (October, 1978), pp. 3-13. In 1976 44% of all employed wage and salary workers were not protected against income loss for short-term sickness.

9. August B. Hollingshead, "Class Differences in Family Stability," in Herman D. Stein and Richard A. Cloward (eds.) Social Perspectives on Behavior (New York: The Free Press, 1958), p. 50.

10. Preliminary Report of Findings--1969 Aid to Families with Dependent Children Study, National Center for Social Statistics, Social and Rehabilitation Services, United States Department of Health, Education, and Welfare (March, 1970), p. 23.

11. Daniel Moynihan, Look, May 17, 1966 in The Moynihan Report and the Politics of Controversy, Lee Rainwater and William L. Yancey (Cambridge, Massachusetts: The M.I.T. Press, 1967), p. 266.

12. Moynihan, "Employment Income and the Ordeal of the Negro Family," Daedalus, Vol. 94, No. 3 (Summer 1965). p. 761.

13. Richard A. Cloward and Robert Ontell, "Our Illusions About Training," American Child (January, 1965), p.7. in Rainwater and Yancey, op. cit., p. 235.

14. Snyder, op. cit., p. 154

15. Report of the Committee on Local Authority and Allied Personal Social Services, The Seebohm Report (London: Her Majesty's Stationery Office, Committee document 3703, 1968).

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ABSTRACT

THE DESERTING NONSUPPORTING FATHER: THE SCAPEGOAT OF FAMILY NONPOLICY

Deserting fathers are often pushed out of their homes by an angry society seeking a scapegoat for its frustrations, ignorance, and failures to agree on a sound family policy for our country.

Nonsupporting fathers are often picked up on their jobs (the only address some of them have), and for the following twenty years or more they are chained to a cruel and sadistic criminal "justice" system. When they re-enter society off and on, they are less prepared for a steady job, the opportunity for retraining, the possibility of rebuilding family ties, and the incentive to build self-esteem.

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